

9. Records relating to the payment of maternity benefit under the provisions of the Regulation or of these Rules shall be preserved for a period of two years from the date of their preparation. Records.

By Order,

M. VENKATANARANAPPA,

Secretary to Government,

Development Department.

No. 4641—L. C., Bangalore, dated 28th May 1937.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Code of Civil Procedure, 1911, is published for general information with the statement of objects and reasons.

By Order,

A. SUNDARARAJA RAO,

Secretary,

Mysore Legislative Council.

Bill further to amend the Code of Civil Procedure, 1911.

Whereas it is expedient further to amend the Code of Civil Procedure, 1911, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (a) This Regulation may be called the Code of Civil Procedure (Amendment) Regulation of 193 *Short title.*

(b) It shall extend throughout the State of Mysore.

(c) It shall come into force from—

2. To Section 51 of the Code of Civil Procedure, 1911 (hereinafter referred to as the said Code), the following proviso shall be added, namely:— *Addition of Proviso to Section 51.*

“Provided that where the decree is for the payment of money execution by detention in prison shall not be ordered unless, after giving the judgment-debtor na

opportunity for showing cause why he should not be committed to prison, the Court for reasons recorded in writing, is satisfied—

(a) that the judgment-debtor, with the object or effect of obstructing or delaying the execution of the decree,—

(i) is likely to abscond or leave the local limits of the jurisdiction of the Court, or

(ii) has, after the institution of the suit in which the decree was passed, dishonestly transferred, concealed, or removed any part of his property, or committed any other act of bad faith in relation to his property; or

(b) that the judgment-debtor has, or has had since the date of the decree, the means to pay the amount of the decree or some substantial part thereof and refuses or neglects or has refused or neglected to pay the same; or

(c) that the decree is for a sum for which the judgment-debtor was bound in a fiduciary capacity to account.

Explanation.—In the calculation of the means of the judgment-debtor for the purposes of clause (b), there shall be left out of account any property which, by or under any law or custom having the force of law for the time being in force, is exempt from attachment in execution of the decree.

STATEMENT OF OBJECTS AND REASONS.

The Bill seeks to amend Section 51 of the Code of Civil Procedure, 1911, in regard to the imprisonment of judgment-debtors. The object is to protect honest debtors from detention in the civil prison and to confine such detention to debtors proved to be recalcitrant or fraudulent. The Bill provides that no order for execution by detention in prison shall be issued unless the debtor has been given an opportunity of showing cause why he should not be committed to prison and the Court is satisfied, for reasons recorded in writing, that the debtor is likely to leave the local limits of the Court or has fraudulently disposed of his property or that he is able to pay the amount of the decree otherwise than from protected assets.

The Bill applies to all judgment-debtors. This is on the lines of Act XXI of 1936 of the Indian Legislature.

No. 4643 L. C.,—*Bangalore, dated 28th May 1937.*

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to further amend the Mysore Civil Courts Regulation, 1883, is published for general information with the statement of objects and reasons.

By Order,

A. SUNDARARAJA RAO,

Secretary,

Mysore Legislative Council.

**Bill to further amend the Mysore Civil Courts
Regulation, 1883.**

Whereas it is expedient to further amend the Mysore Civil Courts Regulation, 1883; It is hereby enacted as follows:—

1. *Substitute the following for Section 4-A of the Regulation.*—"The Government of Mysore may, by notification, fix, and from time to time, vary the number of Judges to be appointed for a District or Subordinate Judge's or Munsiff's Court."

2. *Substitute the following for Section 4-B of the Regulation.*—"When more than one Judge is appointed for a District or Subordinate Judge's or Munsiff's Court, one of the Judges shall be appointed the Principal Judge and the others Additional Judges."

"Each of the Judges appointed to a District or Subordinate Judge's or to a Munsiff's Court, may exercise all or any of the powers conferred on the Court by this Regulation or any other law for the time being in force."

"Subject to the general or special orders of the High Court, the Principal District Judge may and subject to the general or special orders of the District Judge. The Principal Subordinate Judge or the Principal Munsiff may, from time to time, make such arrangements as he thinks fit for the distribution of the business of the Court among the various Judges thereof."

STATEMENT OF OBJECTS AND REASONS.

The Mysore Civil Courts Regulation I of 1883, was amended by Regulation VII of 1926 so as to make it possible to appoint more than one Subordinate Judge to a Subordinate Judge's Court and more than one Munsiff to a Munsiff's Court. On that occasion no amendment was made so that more than one District Judge could be appointed to a District Court. Whenever arrears accumulate in any District Court it becomes necessary to establish an additional District Court with separate establishment for temporary periods. The High Court will have to formally transfer suits and proceedings from the permanent to temporary Courts and re-transfer them to the permanent Court when the additional Court ceases to exist. Difficulties will also arise in the matter of the execution of the decrees and orders passed by the additional Court when it is abolished. The most convenient and economical course in such circumstances would be to add a Judge temporarily to an existing District Court.

The present Bill is intended to provide for the appointment, when necessary, of more than one District Judge for a District Court, so as to avoid the inconveniences mentioned above.

No. L. C. 4645—Bangalore, dated 28th May 1937.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the following Bill further to amend the Indian Penal Code (as in force in Mysore) is published for general information with the statement of objects and reasons.

By Order,

A. SUNDARARAJA RAO,

Secretary,

Mysore Legislative Council.

Bill further to amend the Indian Penal Code
(As in force in Mysore).

Whereas it is expedient further to amend the Indian Penal Code as in force in Mysore; It is hereby enacted as follows:—

1. This Regulation may be called the Indian Penal Code (Amendment) Regulation, 19.....
2. In Section 375 of the Indian Penal Code as in force in Mysore in clause *Fifthly* for the word "twelve" the word "fourteen" shall be substituted. Amendment
of Section 375.

STATEMENT OF OBJECTS AND REASONS.

According to Section 375 of the Indian Penal Code as in force in Mysore, the age of consent is 12 both within and outside marital connection. This is considered too low for sufficient protection of minor girls. It has been revised in British India by Act XXIX of 1925. It is now proposed to raise the age to 14 as against strangers leaving the age in marital cases unaffected as the legal age of marriage remains unaffected.